

UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

Reginald Lee Malone)	
)	CV 01-2099-PHX-NVW-JI
Petitioner)	
)	
vs.)	JUDGMENT
)	
Terry Stewart, et al.)	
)	
)	
)	
Respondent(s))	
_____)	

_____ **Jury Verdict.** This action came before the Court for trial by jury. The issues have been tried and the jury has rendered its verdict.

 X **Decision by Court.** This action came for consideration before the Court. The issues have been considered and a decision has been rendered.

IT IS THEREFORE ORDERED that Report and Recommendation of Magistrate Judge Jay. R. Irwin (doc. #60) is accepted. IT IS FURTHER ORDERED that petitioner's First Amended Petition for Writ of Habeas Corpus (doc. #56) is denied and dismissed without prejudice.

October 28, 2005

RICHARD H. WEARE
Clerk/DCE

S/ Tammy Johnson

(By) Deputy Clerk

